

SOUTH HAMS EXECUTIVE



Minutes of a meeting of the **South Hams Executive** held on **Thursday, 20th April, 2017** at **10.00 am** at the **Repton Room** **- Follaton House**

Present: **Councillors:**

Chairman Cllr Tucker
Vice Chairman

Cllr Bastone
Cllr Hicks
Cllr Brown

Cllr Gilbert
Cllr Wright

In attendance:

Councillors:

Cllr Birch
Cllr Cuthbert
Cllr Green
Cllr Holway
Cllr May
Cllr Pennington
Cllr Saltern
Cllr Wingate

Cllr Bramble
Cllr Foss
Cllr Hodgson
Cllr Hopwood
Cllr Pearce
Cllr Rowe
Cllr Smerdon

Officers:

Lisa Buckle
Steve Jordan

Nadine Trout
Neil Greenhalgh

Section 151 Officer
Executive Director Head of Paid
Service
Commissioning Manager
Operational Manager (Environment
Services)

79. **Chairman's Announcements**

E.79/16

The Chairman welcomed those in attendance and wished to congratulate Cllr Wright on his recent appointment as Deputy Leader of the Council.

In addition, since this was the last Executive meeting of the 2016/17 Municipal Year, the Chairman put on record his gratitude for the fantastic and tireless contributions that Cllr Hicks had made during his time serving on the Executive.

80. **Minutes**

E.80/16

The minutes of the Executive meeting held on 9 March 2017 were confirmed as a true record and signed off by the Chairman.

81. **Declarations of Interest**

E.81/16

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting and the following were made:

Cllr H D Bastone declared a Disclosable Pecuniary Interest in Item 8: 'Parking Permit Review' (Minute E.86/16 below refers) by virtue of his business involvement in managing car parking spaces and garages and left the meeting during consideration of this agenda item.

82. **Urgent Business**

E.82/16

The Chairman advised that he had agreed for an urgent item to be raised at this meeting. This item related to the retrospective reporting of the use of urgent decision-making powers by the Head of Paid Service in relation to proposed Taxi Fares.

Paragraph 6.2 of the adopted Scheme of Delegation states that:

'Urgent Items

Matters of urgency, as determined by the Head of Paid Service (or in his absence another Senior Officer) shall be delegated to the relevant officer in consultation with the Leader and Deputy Leader or the Chairman and Vice Chairman of the relevant Committee, subject to a report being made to the next meeting of the Executive or the appropriate Committee.'

By way of background, it was noted that a Licensing Committee meeting had been scheduled to take place on 10 April 2017 to consider the proposed Taxi Fares. Unfortunately, only six Members of the Committee attended this meeting and it was therefore declared inquorate. The six Members proceeded to meet on an informal basis and were of the collective view (by 5 votes in favour and 1 against) that the taxi fare table should be set in accordance with Appendix A of the agenda report that had been presented to the Committee and that this should come into effect from 1 May 2017.

Since the Licensing Committee was not due to meet again before 1 May 2017, the Head of Paid Service had subsequently exercised his urgent decision-making powers to approve the recommendations arising from the informal meeting.

It was then:

RESOLVED

That it be noted that the Head of Paid Service has exercised his urgent decision-making powers to approve the recommendations arising from the informal Licensing Committee meeting held on 10 April 2017 in respect of the proposed revisions to the Taxi Fares table with this coming into effect from 1 May 2017.

83. Public Question Time

E.83/16

It was noted that no public questions had been received.

84. Annual Report

E.84/16

Members considered a report that presented the Council's Annual Report for 2016/17 and reviewed the Council's progress over the last financial year.

In his introduction, the Chairman highlighted a number of the Council achievements during 2016/17 and felt that the authority should be proud of a number of aspects of its performance. In taking the point a step further, the Chairman was of the view that there was too much negativity expressed in respect of the Council's performance.

In discussion, reference was made to:-

- (a) the number of affordable homes delivered. Members welcomed the level of delivery of affordable homes that would help to ensure that some young residents were able to continue to live in the South Hams;
- (b) the future. A Member commented that the Annual Report should be considered as the basis of a foundation for the Council to build upon in the future;
- (c) the Joint Local Plan (JLP). Since it was highlighted in the Annual Report, a detailed debate ensued on the JLP. Whilst some Members expressed their specific concerns over the housing numbers contained within the JLP and the lack of real consultation, these points were countered by other Members. Following an extensive debate, all Members acknowledged the importance of interested parties being

actively encouraged to submit their representations during this current consultation exercise;

- (d) town and parish councils. A Member echoed the Chairman's introductory comments about negativity and highlighted a number of recent personal experiences he had encountered at parish council meetings. As a consequence, the Member requested that, once approved by the Council, a copy of the Annual Report should be circulated to all town and parish council clerks;
- (e) Village Housing Initiatives (VHIs). In making reference to some concerns over VHIs, a Member requested that the Overview and Scrutiny Panel conduct a future review. In response, the Chairman of the Panel confirmed his willingness to present this request to the next Panel meeting for further consideration;
- (f) the presentation of the Report. A number of Members wished to put on record their support for the format and visual presentation of the document. In so doing, these Members congratulated the lead officer for her hard work in the production of the Report and proceeded to wish her every success in her newly acquired role with the Council.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that:

1. the challenges that have occurred throughout the year be acknowledged and the progress and achievements made by the Council be endorsed; and
2. the South Hams Annual Report for the financial year 2016/17 (as outlined at Appendix A of the presented agenda report) be adopted and published.

85.

100% Business Rates Consultation

E.85/16

A report was considered that presented the Council's proposed response to the Department for Communities and Local Government (DCLG) published consultation document entitled: '*100% Business Rates Retention: Further Consultation on the Design of the Reformed System*'.

In discussion, the following points were raised:-

- (a) Despite the public perception being that the Council retained 100% of Business Rates, it was noted that, in reality, the Council currently only received 6p for every £1 it collected;

- (b) To recognise the potential benefits from being part of a Business Rates pilot in 2018/19, an additional recommendation was **PROPOSED** and **SECONDED** as follows:-

"That the Council agrees 'in principle' to apply to DCLG to become a Business Rates pilot for 2018/19, in alliance with Devon County Council, subject to the financial modelling being undertaken by Local Government Futures (on behalf of the Devon S151 Officers Group) demonstrating that there is no financial detriment to Authorities in doing so."

In support of this proposal, Members noted the ability to potentially have an input into the shaping of the future scheme and the hope that the Council may be able to retain more of the monies it collected than at present. When put to the vote, this addition was declared **CARRIED**.

It was then:

RESOLVED

1. That the proposed response to the 100% Business Rates Retention consultation (as attached at Appendix A of the presented agenda report) be noted; and
2. That the Council agrees 'in principle' to apply to DCLG to become a Business Rates pilot for 2018/19, in alliance with Devon County Council, subject to the financial modelling being undertaken by Local Government Futures (on behalf of the Devon S151 Officers Group) demonstrating that there is no financial detriment to Authorities in doing so.

86. **Parking Permit Review**

E.86/16

The Executive considered a report that requested that Members consider the recommendation whereby the Full and Commuter parking permits be eliminated and replaced with Town Centre, Peripheral and Rural parking permits.

During discussion, reference was made to:-

- (a) the technology that would underpin the 'virtual' permits. Officers gave an assurance that the new software had been purchased and would come into effect from 1 June 2017;
- (b) an additional detailed amendment to the recommendation was **PROPOSED** and **SECONDED** as follows:

- The 10% maximum occupancy of a car park no longer be applicable.

In support of this addition, the lead Executive Member highlighted the number of objections (108) that had been raised to this proposal from throughout the South Hams and this amendment reflected the fact that he had taken on board these concerns.

In the subsequent discussion, the Overview and Scrutiny Panel Chairman highlighted the work of the Task and Finish Group that had undertaken the initial review into Parking Permits. In so doing, the Panel Chairman emphasised that the 10% limit was seen as being an integral part of the review and he expressed his disappointment at this amendment. However, when put to the vote, this amendment was declared **CARRIED**;

- (c) the proposed unlimited ability for permit holders to be able to change their car registration details online. A number of Members expressed their concerns that there were loopholes in this initiative that could be exploited by permit holders and questioned whether a limit should be applied to the number of cars that could be registered on a permit. As a consequence, officers and the lead Executive Member were tasked with revisiting this particular part of the Review before the matter was further considered at the Annual Council meeting on 11 May 2017.

It was then:

RECOMMENDED

That the Council be **RECOMMENDED** that the Full and Commuter parking permits be eliminated and replaced with Town Centre, Peripheral and Rural parking permits and that the Off-Street Parking Places Order be amended accordingly.

(NB. the detailed amendments are as follows:

- Full and Commuter permits to be eliminated and replaced with Town Centre, Peripheral and Rural permits which will be limited to specific towns/villages. The cost of permits to be reduced to reflect the new restrictions;
- The costs of permits to be as detailed at Paragraph 5.3 of the presented agenda report); and
- The 10% maximum occupancy of a car park no longer being applicable.

87. **Exclusion of Public and Press**

E.87/16

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

88. **Insurance Contract**

E.88/16

Members were presented with an exempt report that sets out the detail of the Council current insurance contracts.

In discussion, Members emphasised the importance of maximising the savings in this respect and therefore requested that the Council also look beyond Devon when investigating joint procurement opportunities.

It was then:

RESOLVED

That the current insurance contracts be extended by 3 months to end on 31 December 2017.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.82/16 and E.84/16 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 11 MAY 2017, WILL BECOME EFFECTIVE FROM 5.00PM ON TUESDAY, 2 MAY 2017 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

The Meeting concluded at 11.25 am

Signed by:

Chairman
